

By: Martinez

H.B. No. 3706

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to requiring certain food service establishments that  
3 prepare peanut products to post warning signs.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 438, Health and Safety Code, is amended  
6 by adding Subchapter E to read as follows:

7 SUBCHAPTER E. PEANUT ALLERGEN WARNING SIGNS

8 Sec. 438.051. APPLICABILITY. This subchapter applies only  
9 to a food service establishment:

10 (1) at which space for eating is designed or  
11 designated; and

12 (2) that uses peanuts or a peanut product for any item  
13 prepared at the food service establishment.

14 Sec. 438.052. WARNING SIGNS REQUIRED FOR PEANUT  
15 CONTAMINATION. A food service establishment described by Section  
16 438.051 shall post a sign in a conspicuous place in the area in  
17 which food is consumed that states the following:

18 "This establishment prepares items that contain peanut  
19 products. Regular kitchen operations involve shared cooking and  
20 preparation areas. Therefore, we cannot guarantee that any item  
21 will be completely free of peanuts."

22 Sec. 438.053. RULES. The executive commissioner of the  
23 Health and Human Services Commission shall adopt any rules  
24 necessary to implement this subchapter.

1 SECTION 2. This Act takes effect January 1, 2016.